

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
06 Civ. 0589 (CGE)  
-----X  
ANUCHA BROWNE-SANDERS,  
Plaintiff,  
- against -  
MADISON SQUARE GARDEN, L.P., ISIAH LORD  
THOMAS, III, and JAMES DOLAN,  
Defendants.  
-----X  
December 11, 2006  
10:00 a.m.  
VIDEOTAPE DEPOSITION of JAMES  
DOLAN, taken by the Plaintiff, pursuant to  
Notice, held at the offices of Viadeck  
Waldman Elias & Engelhard, P.C, 1501  
Broadway, New York, New York, before  
Debbie Zaromatidis, a Shorthand Reporter  
and Notary Public of the State of New  
York.

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1 that I specifically remember was when Mr.  
 2 Mills reported to us that Ms. -- Ms.  
 3 Browne was leaving the company.  
 4 Q. What did he say and what did  
 5 anyone else there say?  
 6 A. Mr. Mills reported that he had  
 7 had a meeting with -- with Ms. Browne and  
 8 that Ms. Browne had informed him that she  
 9 did not wish to continue on in her  
 10 position, and I believe that Mr. Ratner  
 11 was -- I don't know if I could use the  
 12 right word. I don't know if I could say  
 13 he was pleased, but Mr. Ratner thought  
 14 that that was a good development for the  
 15 company.  
 16 Q. Anybody else say anything else?  
 17 A. Mr. Mills reported that he was  
 18 going to work on an arrangement where Ms.  
 19 Browne could -- could leave the company.  
 20 The -- on some sort of graduated basis,  
 21 continue to perform her duties, look for  
 22 another position. I believe Ms. -- that  
 23 Steve reported that Ms. Browne asked  
 24 her -- asked him to help in locating

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1. another position not in the company.

2. Q. In this conversation, did Mr.

3. Mills report that Ms. Browne-Sanders was

4. concerned about her safety?

5. A. I don't recall that.

6. Q. Was there any discussion at this

7. meeting about The Garden providing

8. security for Ms. Browne-Sanders?

9. A. I don't recall that either.

10. Q. Did Mr. Mills say why

11. Ms. Browne-Sanders said she was leaving

12. the company?

13. MR. GREEN: Objection to form,

14. but you may answer.

15. A. My recollection of it is -- is

16. that it was due to Ms. Sanders not feeling

17. that she could do the job. Why that was I

18. could -- you know, I would only speculate.

19. She had had a very difficult time in the

20. position, so I don't think that that made

21. it a big surprise to us.

22. Q. What do you mean by she had a

23. very difficult time in the position?

24. A. Well, starting from July of that

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1 year when the company decided to  
 2 recalendarize the budget process for the  
 3 sports teams, Ms. Sanders had what I would  
 4 characterize as great difficulty with that  
 5 entire process, and I believe the process  
 6 revealed significant weaknesses in her  
 7 skill levels that were necessary in order  
 8 for her to do the job.  
 9 Q. Now, understanding that you  
 10 can't give an exact date, can you give the  
 11 time frame when Mr. Mills reported to you  
 12 and others at a meeting that  
 13 Ms. Browne-Sanders was leaving the  
 14 company?  
 15 A. It was towards the end of the  
 16 year, November, December.  
 17 Q. Now, prior to July had you heard  
 18 anything positive or negative about  
 19 Ms. Browne-Sanders' performance from  
 20 anybody?  
 21 MR. GREEN: Objection to form.  
 22 You may answer.  
 23 A. I don't recall one way or  
 24 another other than that she was promoted.  
 25

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responsibilities for the Knicks.

Q. Do you recall approximately when that was?

A. Obviously prior to July. I think significantly prior, meaning somewhere longer than six months prior.

Q. So would it have been in 2004?

A. It could have been, but it could have been earlier. It could have been early 2005.

Q. Now, prior to the November, December time frame when you say that Mr. Mills told you and others that Ms. Browne-Sanders was leaving The Garden, had you heard anyone be critical of Ms. Browne-Sanders?

MR. GREEN: Objection to form.

You may answer it.

A. Yes.

Q. Who did you hear who had a criticism of Ms. Browne-Sanders?

A. Well, I had criticism of Ms. Browne-Sanders, and Mr. Ratner had criticism of Ms. Browne-Sanders.

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25 skills that were necessary in order to do  
 24 the branding and marketing management  
 23 skills, the financial skills as well as  
 22 particularly was missing the budgetary  
 21 agreed with me that Ms. -- Ms. Sanders  
 20 company. The -- but I also think that he  
 19 along with other executives in -- in the  
 18 that Ms. Sanders had problems getting  
 17 A. Mr. Ratner specifically felt  
 16 you may answer.  
 15 MR. GREEN: Objection to form.  
 14 to you?  
 13 or in Mr. Ratner's view as he expressed it  
 12 Ms. Browne-Sanders not have in your view  
 11 Q. What skills did  
 10 skill levels were not there.  
 9 responsibilities of the job, that the  
 8 inability to perform the duties,  
 7 was -- that I had mentioned before, the  
 6 centered around the thing that I  
 5 A. I think Mr. Ratner's criticism  
 4 you of Ms. Browne-Sanders?  
 3 What criticism did Mr. Ratner express to  
 2 Q. Let's start with Mr. Ratner.

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2. the job.

3. Q. And did Mr. Ratner tell you who

4. he believed that she had problems getting

5. along with?

6. A. I don't recall.

7. Q. Did anyone tell you that they

8. had problems getting along with

9. Ms. Browne-Sanders?

10. A. I don't specifically recall.

11. Q. Did Mr. Ratner tell you how he

12. came to form a belief that

13. Ms. Browne-Sanders had problems getting

14. along with others?

15. A. I'm sure he did, but I don't

16. specifically remember -- recall the

17. specifics of it. No.

18. Q. Did he tell you that he had

19. understood that that was her reputation or

20. words to that effect?

21. MR. GREEN: Objection to form.

22. You may answer.

23. A. As I said, I don't specifically

24. recall, you know, how -- what he used as

25. his rationale or backup for forming that

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2. opinion.

3. Q. And what were the budget and

4. financial skills that you said both you

5. and Mr. Ratner believed that

6. Ms. Browne-Sanders was lacking?

7. A. Well, in -- budgeting is a -- it

8. is part of a managerial science. In

9. essence the -- a budget is a numerical

10. expression of a -- of a plan of action for

11. an upcoming period of time, generally a

12. year in advance sometimes as much as five

13. years in advance. The -- it requires

14. the -- the person in charge of that

15. operation to first be able to articulate

16. what their plans, their goals, their

17. objectives are for their area of

18. responsibility for that period of time.

19. It then requires from there the planning,

20. the -- the strategies, tactics, the

21. execution of those, the -- in advance

22. obviously for -- as long as the period of

23. time as the budget is for. From that,

24. there -- there is then a financial portion

25. of that that is then translated into a



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1. budget, a plan, a financial plan

2. essentially saying we are going to -- we

3. are going to achieve this goal by using

4. these strategies and these tactics, and

5. these tactics will involve the spending of

6. this money, the using of these resources,

7. et cetera, the -- and then ultimately

8. having that result in an overall financial

9. plan for whatever the operation is that

10. you're running. The -- Ms. Sanders did

11. not understand that basic concept.

12. Q. Which basic concept?

13. A. The basic concept is that the

14. budget was a plan -- the basic -- was a

15. reflection of the plan for the upcoming

16. year.

17. Q. And how do you know that she did

18. not understand that basic concept?

19. A. Because as I reviewed her

20. submission for a budget, it became clear

21. that she did not understand what she

22. needed to do in order to -- to complete

23. the -- a budget, a financial plan. She

24. could not answer the questions that the

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1 person who was the author of such a  
 2 document would need and you would expect  
 3 would be able to answer. The --  
 4 Q. Do you remember any questions  
 5 that she was unable to answer?  
 6 A. Oh, yes. Specifically  
 7 the -- the way we review a budget we start  
 8 off not with any of the numbers per se,  
 9 but we start off asking the manager, the P  
 10 and L manager, to write down for us their  
 11 goals, strategies, tactics, the -- and in  
 12 the case of Ms. Browne-Sanders' area we  
 13 also required a branding statement. These  
 14 formed the basis for which you then form  
 15 the plan for -- for the operating year  
 16 ahead. It took us several meetings and a  
 17 great deal of coaching sometimes to the  
 18 point where I felt that I was authoring  
 19 the plan in order to get a sufficient  
 20 document that you could rely -- that you  
 21 could then use to formulate the -- a  
 22 budget off of.  
 23 Q. And when was the first of these  
 24 several meetings that you said that there

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1 was a great deal of coaching and when did  
 2 you have a sufficient document?  
 3 MR. GREEN: Objection.  
 4 Multiple, compound question. You may  
 5 answer.  
 6 Q. What is the time frame --  
 7 A. What -- roughly July -- that  
 8 is summer.  
 9 Q. Now, when were all of the  
 10 meetings where there were several meetings  
 11 and a great deal of coaching?  
 12 A. In that -- in the summertime,  
 13 June, July. I believe it went into  
 14 August.  
 15 Q. Now, prior to the June, July,  
 16 August time frame, had you seen  
 17 Ms. Browne-Sanders at budget forecast or  
 18 strategy meetings?  
 19 A. I don't recall.  
 20 Q. Prior to the June, July, August  
 21 time frame, had you formed an opinion of  
 22 Ms. Browne-Sanders' skill set or skill  
 23 level?  
 24 MR. GREEN: Objection to form.

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2 In 2005, Anne?  
3 MS. VLADICK: Yes.  
4 A. No, I don't believe I had in  
5 that position.  
6 Q. When you keep saying in that  
7 position, what position are you referring  
8 to?  
9 A. Well, I think that Ms. Saunders  
10 had a job prior to this, the -- where she  
11 was not in charge of the direct marketing  
12 the -- of the Knicks, that she was in a  
13 position where she was in charge of  
14 portions of the execution of -- of that  
15 marketing. The -- and the -- I believe  
16 that she did a good job at that time,  
17 the -- that was Mr. Mills -- I believe his  
18 statements to me in -- his rationale in  
19 promoting her into the position that he  
20 did promote her into was that she had done  
21 a good job in the job she had before.  
22 The -- and it was a promotion, and  
23 necessarily with a promotion you make a  
24 move up the ladder of the company that you  
25 are working for, and you take on

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1 additional duties, responsibilities, et  
 2 cetera, and hopefully you've done a good  
 3 job and the -- you are ready to do that.  
 4 It became clear in July that Ms. Sanders  
 5 was not ready to do that, that it was in  
 6 my opinion a mistake to -- to promote her  
 7 to that position, but she was in the --  
 8 the position.  
 9 Q. And to the best of your  
 10 recollection, when did she become  
 11 responsible for the areas that you thought  
 12 she was not ready for?  
 13 A. Again, I -- you know, it is  
 14 prior to that July period. She had enough  
 15 experience that she was not considered new  
 16 at that July meeting and whether that was  
 17 six months or a year I have -- you know, I  
 18 can't tell you.  
 19 Q. So you formed an impression in  
 20 the June, July, August 2005 time frame  
 21 that Ms. Browne-Sanders did not have the  
 22 skills for the job that she had at that  
 23 time?  
 24 A. Yes.

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2	Q. Prior to that time at any point,
3	did anyone express criticism of her to
4	You?
5	MR. GREEN: Objection. Asked
6	and answered. You may answer again.
7	A. Yes, I think we did. I said
8	before no, not that I recall.
9	Q. You said that Mr. Ratner had
10	expressed criticism to you of
11	Ms. Browne-Sanders?
12	A. Yes.
13	Q. On how many occasions did he
14	express criticism?
15	A. More than once and not every
16	day.
17	Q. Can you approximate how many
18	times?
19	MR. GREEN: Do you have a time
20	frame, Anne? It may be helpful to the
21	witness.
22	MS. VLADICK: I think he said
23	that it never happened before the
24	summertime frame.
25	A. I don't recall it happening

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before the summertime frame.

Q. So after the summer of '05?

A. So after the time frame through

November and they -- it would only have

been in conjunction with whenever we were

reviewing the -- some aspect of -- of the

area of the operations that Anucha was

responsible for. I don't recall Mr.

Ratner coming out of the blue and

suggesting that, you know, this is

something we had to deal with.

Q. Now, when Mr. Ratner expressed

to you his criticism of

Ms. Browne-Sanders, what, if anything, did

you say in response?

A. I agreed with him that -- that

he -- that she was not capable of doing

the job that -- that she was assigned.

Q. Did he suggest to you at any

time that she should be fired?

A. He did.

Q. When was the first time if there

was more than one time?

A. I believe Mr. -- Mr. Ratner was

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1 of the opinion that Ms. Sanders should be  
 2 fired essentially from the time that we  
 3 had those July budget meetings through to  
 4 when she ultimately was fired.  
 5 Q. When he first raised with you  
 6 his belief that she should be fired, what  
 7 did you say?  
 8 A. Well, I know that I did not  
 9 agree that she should be fired.  
 10 Q. What did you say?  
 11 A. That we gave her the position,  
 12 the -- I agree she is not skilled  
 13 for -- but let's give her an opportunity  
 14 to build those skills. If she doesn't  
 15 take the opportunity to build the skills,  
 16 then that is another thing, and we will  
 17 have to have a replacement.  
 18 Q. Did you at any point tell Mr.  
 19 Mills to tell Ms. Browne-Sanders that you  
 20 believed that she was not skilled and that  
 21 she had to build her skills?  
 22 MR. GREEN: Objection to form.  
 23 Could you have the question read back to  
 24 us, please.  
 25

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25 A. The -- I believe Mr. Mills  
 24 that Ms. Browne-Sanders wasn't performing?  
 23 tell you when you discussed your belief  
 22 Q. What, if anything, did Mr. Mills  
 21 happen with Ms. Browne-Sanders.  
 20 hope that that was what was -- would  
 19 learn the position. The -- and it was my  
 18 are willing to rely apply themselves and  
 17 back a very good employee assuming they  
 16 You do that for an employee that you get  
 15 job. It was my feeling that the -- when  
 14 her skill level, so that she could do the  
 13 level that she needed to be in terms of  
 12 training and attempt to get her up to the  
 11 job, that we needed to provide her with  
 10 letting her go because she couldn't do the  
 9 the skills, the -- and that rather than  
 8 Mills was that I believed she didn't have  
 7 that -- because -- that -- what I told Mr.  
 6 that -- not that I told him to tell her

5 A. What I told Mr. Mills is

4 MR. GREEN: Okay.

3 THE WITNESS: No, I heard it.

2 MR. VLADICK: Sure.

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1 wanted to give Ms. Sanders an opportunity  
 2 to be successful on the job. He did  
 3 agree -- I don't recall that I had to  
 4 argue with him about it. He did agree  
 5 that he would go and work with our staff  
 6 in putting together a training plan that  
 7 would be designed to fill the gaps  
 8 in -- in Ms. Sanders' skill set that she  
 9 needed in order to do the job.  
 10 Q. And can you describe what those  
 11 gaps were?  
 12 A. Essentially what I said before.  
 13 The -- budgeting, the -- the broader  
 14 managerial level of marketing particularly  
 15 having to do with branding. The --  
 16 Q. And --  
 17 A. I believe there was some  
 18 discussion at least of -- of general  
 19 personnel management kind of skills, but I  
 20 don't know that that -- in my mind at  
 21 least, that wasn't the primary reason for  
 22 sending her for training.  
 23 Q. And who --  
 24 MS. VLADICK: Just one more.  
 25

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25 You before who attend the meeting, but  
 24 been there would have been the ones I gave  
 23 the only normal people that would have  
 22 a board -- it was a chairman's meeting, so  
 21 would only be conjecturing to say. It was  
 20 meeting. I don't remember who else. I  
 19 A. I remember Mr. Ratner was at the  
 18 meeting?  
 17 leaving the garden, who else was at that  
 16 and others that Ms. Browne-Sanders was  
 15 the meeting at which Mr. Mills told you  
 14 Q. Just to go back for a moment to  
 13 going on the record at 11:40 a.m.  
 12 THE VIDEOGRAPHER: We are now  
 11 (Recess taken.)  
 10 ten minutes.  
 9 MS. VLADICK: Why don't we take  
 8 11:24 a.m. End of tape one.  
 7 going off the record at approximately  
 6 THE VIDEOGRAPHER: We are now  
 5 A. With Mr. Olsen.  
 4 ask him to work with?  
 3 Mills to work with somebody. Who did you  
 2 Q. You said that you asked Mr.

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2 discussion of providing her with a

3 separation package?

4 A. Not that I recall.

5 Q. Or severance?

6 A. Right. I could have just said

7 that to you, huh?

8 Q. And are notes or minutes

9 normally taken at these chair meetings?

10 A. No.

11 Q. Approximately how long was there

12 a discussion at that meeting of

13 Ms. Browne-Sanders?

14 A. I -- I couldn't say. I

15 wouldn't, you know -- I didn't time it

16 or --

17 Q. And do you recall approximately

18 how many times Mr. Ratner suggested to you

19 that Ms. Browne-Sanders should be fired?

20 A. I think --

21 MR. GREEN: Objection. Asked

22 and answered. You may answer it again.

23 A. I can't give you a specific. I

24 know he was of that -- of that opinion and

25 I believe strongly of that opinion from

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1 the July period on.  
2 Did Mr. Ratner tell you that he  
3 didn't personally like Ms. Browne-Sanders  
4 or her style?  
5 MR. GREEN: Objection to form.  
6 You may answer it.  
7 A. I don't recall that he  
8 specifically said he didn't like her.  
9 Q. Did he ever describe her to you  
10 as arrogant?  
11 THE WITNESS: Counsel --  
12 MR. GREEN: You may answer the  
13 question fully except to the extent that  
14 those conversations might have been held  
15 in the presence of counsel; otherwise, you  
16 may answer the question.  
17 A. Okay. I'm -- I don't  
18 think -- it is not my job to help you  
19 here. The --  
20 (Laughter.)  
21 A. But in the interest of -- the  
22 interest of getting through this  
23 the -- Mr. Ratner I believe did not think  
24 that Ms. Sanders had a strong and cordial

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2 From the -- the budget meeting, and really

3 my opinion of her changed pretty

4 dramatically from when you talk about pre

5 that July period to post that July period.

6 Q. Other than Mr. Mills and Mr.

7 Ratner, did you get input from anyone else

8 on their view of Ms. Browne-Sanders?

9 MR. GREEN: Objection to form.

10 You may answer.

11 A. In what period?

12 Q. Any period.

13 A. Can you ask the question again?

14 MS. VLADICK: Can you read it

15 back.

16 (Record read.)

17 A. I am sure Mr. McCormack gave me

18 his view.

19 Q. What was Mr. McCormack's view?

20 A. Well, Mr. McCormack,

21 the -- would have given me his view. I

22 believe he did give me his view right at

23 the time that Ms. Sanders was let go.

24 Q. And what did he say to you and

25 what did you say to him?

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25 actually a complaint, any complaint that

24 complaint regarding sexual harassment or

23 A. When you are -- put in a

22 against?

21 Q. What company policy is it

20 company policy.

19 A. Well, that clearly was against

18 Q. What did he say about that?

17 reports here.

16 he -- that she took one of her direct

15 A. I believe he told me that

14 Q. Anything else?

13 authority.

12 influence her direct reports using her

11 A. That she had attempted to

10 company policies?

9 which was a willful violation of the

8 Q. What did he say she had done

7 investigating.

6 harassment that he had -- was charged with

5 investigation of the charges of sexual

4 company's policies and had undermined his

3 Ms. Sanders had willfully violated the

2 A. Mr. McCormack said that

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1 needs to be investigated at the company,  
 2 we have a human resources and employee  
 3 relations department that are charged  
 4 with -- with -- with doing that, and that  
 5 the -- as you would expect when someone  
 6 makes a complaint there is always  
 7 obviously two sides to it, and what the  
 8 company deems necessary is to have  
 9 the -- its HR, HR person the group  
 10 investigate that from basically a third  
 11 party's point of view. It requires both  
 12 parties to the -- to not discuss the  
 13 matter any further, not engage  
 14 in -- obviously in any further discussions  
 15 between themselves regarding the matter  
 16 and allow the HR department to conduct an  
 17 investigation and come to a conclusion.  
 18 Q. Is it your belief that the HR  
 19 department came to a conclusion?  
 20 MR. GREEN: Objection to form.  
 21 You may answer.  
 22 A. No, I don't believe that  
 23 they -- that they had at that point.  
 24 Q. No. Do you believe they have at

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2 any point?

3 MR. GREEN: Same objection as

4 to form. You may answer if you know, Mr.

5 Dolan.

6 A. Yes, I have come -- that the HR

7 department believes that they came to a

8 conclusion regarding the complaint that

9 was made.

10 Q. Did the HR department ever make

11 a recommendation based on the conclusion

12 that it came to?

13 MR. GREEN: You mean to Mr.

14 Dolan himself?

15 MS. VLADICK: To anyone.

16 MR. GREEN: Objection to form.

17 If you know, Mr. Dolan, you may answer.

18 A. Not that I am aware of.

19 Q. Now, going back to the

20 conversation that you had with Mr.

21 McCormack, you stated that he told you

22 that Ms. Browne-Sanders attempted to

23 influence her direct reports using her

24 authority?

25 A. Yes.

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2 Q. What did Mr. McCormack say to

3 you about that?

4 A. That Ms. Sanders had brought in

5 her direct reports, that she attempted to

6 infuse a memory into them of -- of the

7 particular times that the complaint was

8 registered about essentially attempting to

9 coerce her -- her direct reports into

10 corroborating her complaint.

11 Q. Did he identify any of these

12 direct reports that she attempted to

13 coerce?

14 A. I don't specifically remember.

15 Q. Now, you said that he said to

16 you that she brought in her direct

17 reports. Was it your understanding that

18 during the time of the investigation that

19 Ms. Browne-Sanders was at work?

20 A. Yes.

21 MR. GREEN: Objection to form.

22 Which investigation are you referring to?

23 MS. VLADICK: The one that he

24 is referring to that Mr. McCormack said

25 that she was attempting to coerce people.

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2 A. With that in mind, I think the

3 answer is no.

4 Q. Were you aware that

5 Ms. Browne-Sanders had complained to Pete

6 Olsen concerning sexual harassment before

7 she went to a lawyer?

8 MR. GREEN: Same objection.

9 A. No.

10 Q. Did you believe that

11 Ms. Browne-Sanders going to a lawyer was a

12 violation of any company policy?

13 A. No.

14 Q. Do you believe that two

15 employees together going to a lawyer is a

16 violation of company policy?

17 MR. GREEN: Objection. Asked

18 and answered. The witness may answer if

19 he understands the question.

20 A. I think it depends on the

21 situation.

22 Q. In what circumstances would it

23 not be a violation of policy?

24 MR. GREEN: Objection. The

25 witness has answered that question now

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1. DOLAN

2. several times. I object to the form of

3. the question. If he wants to amend a

4. prior answer, he may. I am instructing

5. him not to say what he said twice before.

6. MS. VLADICK: It is a different

7. question. Maybe if you hear it read back.

8. A. I think it -- I think I can

9. answer the question. I think it

10. is -- the -- when the employees are going

11. on their own behalf, I think that is fine.

12. Q. When did Mr. McCormack tell you

13. that Ms. Browne-Sanders had willfully

14. violated company policies and undermined

15. his investigation of her charges?

16. A. I don't have the specific date.

17. It was on a helicopter ride between our

18. corporate offices in Bethpage and West

19. 30th Street here.

20. Q. Can you time it as to proximity

21. to when she was actually fired?

22. A. Same day I think. Within 24

23. hours.

24. Q. Prior to that helicopter ride,

25. have you had any other conversations with

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25 would be a meeting at which counsel was

24 witness not to answer to the extent it

23 subject of the meeting, I instruct the

22 question contains the substance and

21 MR. GREEN: Because the

20 (Record read.)

19 please.

18 no. Can I have the question read back,

17 MS. VLADICK: This is a yes or

16 counsel, you may not answer this question.

15 counsel, Mr. Dolan, or at the direction of

14 conversations you had in the presence of

13 that would require you to reveal

12 MR. GREEN: To the extent that

11 the investigation into her charges?

10 McCormack or anyone else with respect to

9 had you had conversations with Mr.

8 Q. Prior to that helicopter ride,

7 A. I don't recall.

6 MS. VLADICK: Yes.

5 At any time ever?

4 MR. GREEN: Objection to form.

3 Ms. Browne-Sanders?

2 Mr. McCormack concerning

1 DOLAN

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1. DOLAN

2. present or held at counsel's direction.

3. so you may not answer this question if you

4. had any such meeting or discussion at

5. the -- in the presence of counsel or at

6. the direction of counsel.

7. A. Okay. I got the direction. I

8. think that -- that the answer -- I know

9. that the answer is that the only

10. communication I had with Mr. McCormack

11. prior to this in regards to this -- this

12. matter would be to verify that he was in

13. fact investigating the matter.

14. Q. Who made the decision to have

15. Ms. Browne-Sanders' employment be

16. terminated by The Garden?

17. A. I did.

18. Q. Did you make it on your own or

19. was it with others, consultation or

20. something else?

21. A. Well, all decisions at The

22. Garden I make on my own.

23. Q. And what were the reasons or

24. what was the reason you fired

25. Ms. Browne-Sanders?

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1 DOLAN

2 A. Because Ms. -- we could not keep

3 going with her in the position that she

4 was in in The Garden. Remember, that what

5 we had agreed to was -- is that

6 Ms. Browne-Sanders was going to continue

7 on with her duties and responsibilities

8 while she looked for another position.

9 The -- that is what she had asked us to

10 do. The -- and we had agreed.

11 Q. The -- as part of that we -- the

12 operation of the -- of the marketing and

13 of the Knicks was part and parcel of that.

14 We needed somebody to make sure Game Day

15 happened. Make sure that -- that the

16 slicks were reviewed, that the -- all of

17 the day-to-day responsibilities that were

18 part of Anucha's job. That the -- after

19 that -- that conversation it was very

20 clear -- clear to me that she could no

21 longer do that job, that we could not have

22 her do that job.

23 Q. I am sorry. When you say after

24 that conversation, what conversation?

25 A. The conversation on the

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1 helicopter.

2 Q. With Mr. McCormack?

3 A. With Mr. McCormack. I think Mr.

4 Ratner was there, too.

5 Q. And the conversation related to

6 Mr. McCormack suggesting that

7 Ms. Browne-Sanders was undermining the

8 investigation?

9 MR. GREEN: Objection to form.

10 You may answer.

11 A. That she had had undermined the

12 investigation, yes.

13 Q. Did Mr. Ratner say anything

14 during this conversation?

15 A. I believe Mr. Ratner echoed what

16 he has been saying all along, that -- that

17 Ms. Sanders needed to be let go.

18 Q. What, if anything, about what

19 Mr. McCormack told you was a factor in

20 your decision to fire Ms. Browne-Sanders?

21 A. The -- really the single thing

22 was that -- is that -- whether she was

23 going to be able to continue to do -- to

24 exercise her duties and responsibilities

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25 and all the way from July up until that  
 24 that -- that leading up until that point  
 23 longer tenable due to the fact first  
 22 that her working at the company was no  
 21 A. We had come to the conclusion  
 20 Q. And what was that?  
 19 A. Yes.  
 18 You made the decision?  
 17 the decision to fire her on the day that  
 16 Q. And do you recall why you made  
 15 A. No.  
 14 that decision?  
 13 Mills whether he agreed or disagreed with  
 12 fire Ms. Browne-Sanders, did you ask Mr.  
 11 Q. Before you made the decision to  
 10 she reports to you.  
 9 question. Why are you complaining to me?  
 8 fact, I would probably ask him that  
 7 her. So why complain to me? The -- in  
 6 employer. I mean he is responsible for  
 5 about the complaints for his -- his  
 4 normal thing for Mr. Mills to talk to me  
 3 Q. Again, it would not be -- a

A. I don't recall.

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point we had had problems. I think that  
 factored into it. The -- they -- and then  
 the issue of utilizing her position to  
 influence her direct reports and then  
 finally making a request for 6 million  
 dollars in severance.  
 Q. On what do you base your  
 statement that she made a request for 6  
 million dollars in severance?  
 A. It was reported to me that she  
 made a 6 million dollar -- request for 6  
 million dollars in severance.  
 Q. Who reported it to you?  
 MR. GREEN: I am going to ask  
 the witness not to respond further to the  
 extent it would reveal conversations with  
 counsel. If he acquired the information  
 from other means, he may respond fully.  
 MS. VLADICK: Ron, I don't  
 believe you could open the door and then  
 close it. I think that to the extent that  
 he was relying on any information even if  
 it was through counsel the door has been  
 opened.

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6 million dollars in severance.  
her behalf, the -- and then had asked for  
an investigation that -- that was begun on  
period. The -- that she had tampered with  
resigned and asked for the extended stay  
told she wasn't staying. She -- she  
is already had -- had essentially -- I was  
at the helicopter I pointed out that she  
A. I think at that same discussion  
Q. Who did you tell?  
A. I think I did.  
request for 6 million in severance?  
Ms. Browne-Sanders was that she had made a  
factor in your decision to fire  
Q. Did you tell anyone that a  
A. I'm not sure.  
the day you decided to fire her?  
Q. And did you hear the request on  
A. That is what I don't recall.  
request?  
Q. In what context did you hear the  
dollar request from.  
A. -- who I heard the 6 million  
MR. GREEN: You may answer.

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1 DOLAN

2 Q. Now, when you said you think you

3 said it in the same conversation, was that

4 with Mr. McCormack and Mr. Ratner?

5 A. Right.

6 Q. Is there a reason you didn't

7 tell me that this morning when you were

8 asked a direct question as to whether or

9 not you told Mr. Ratner or Mr. McCormack

10 that a request for severance was a factor

11 in your decision to fire her?

12 A. No, I don't think you asked me

13 about a request for severance. You asked

14 me about a settlement. Settlement is a

15 bit different than a request for

16 severance.

17 Q. Is that the way you've been

18 parsing my questions if there was --

19 A. I don't mean to be cute with

20 you, but the --

21 Q. Well --

22 A. The -- it first came in a

23 request for severance. That then came in

24 a threat, right, that if the -- that if

25 the -- if I didn't get the money, right,

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Q. Were there any other factors? I  
that there were three.  
objection that your question presupposed  
MR. GREEN: Just note my  
right?  
A. She asked for 6 million dollars,  
million in severance?  
You're understanding that she asked for 6  
Q. And then the third thing was  
her behalf.  
an investigation that was being made on  
their -- their responses to an inquiry to  
direct reports to influence their answers,  
A. Again, used her influence with  
supplement what he said.  
can -- answer the question if he wants to  
asked and answered. The witness  
MR. GREEN: Objection. It is  
did with respect to the investigation?  
you have as to what you believed that she  
Q. What is the best recollection  
A. Sure.  
her; is that correct?  
Q. This was the reason you fired

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25 A. The -- and then the -- you know,  
 24 Q. And --  
 23 inability to brand. It is --  
 22 inability -- inability to budget,  
 21 A. That's in -- that is  
 20 between July and January?  
 19 Q. And how was that reflected  
 18 job.  
 17 the -- you know, the inability to do her  
 16 A. The -- again, I stated earlier  
 15 the date you fired her?  
 14 What were all the events from July until  
 13 Q. That was your first factor.  
 12 that is a quite a long list, you know.  
 11 to from July up until that point. I mean  
 10 A. And all the factors leading up  
 9 other factors, what are they?  
 8 Q. To the extent that there are  
 7 speaking objection.  
 6 MS. VLADICK: That is a  
 5 number of things.  
 4 witness had testified more fully to a  
 3 MR. GREEN: I thought the  
 2 am trying to get the universe of factors.

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1 my essentially taking the opinion of Mr.  
 2 Ratner that she had not improved, that he  
 3 believed that she was -- should be  
 4 terminated.  
 5 Q. Are you done with all the events  
 6 leading from July to January?  
 7 A. Yes, I think so.  
 8 Q. What made you believe that from  
 9 July to January she had an inability to  
 10 budget or brand?  
 11 A. Because of the July meeting, the  
 12 skills and the work product that she  
 13 produced was not -- low, not acceptable.  
 14 It showed a lack of understanding of  
 15 budgeting. It showed a lack of  
 16 understanding of branding. She was unable  
 17 to come up with a branding statement for  
 18 the New York Knicks. She had to be given  
 19 one. That the -- and her -- in her budget  
 20 she was unable to explain her budget and  
 21 when she -- and when she did explain her  
 22 budget, her explanations, the -- showed a  
 23 lack of understanding of how budgets  
 24 are -- are put together and differences

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1 between things such as operating expenses  
 2 and capital expenses, and she actually in  
 3 the middle of the budgetary process  
 4 revealed that she had misclassified some  
 5 80,000 dollar or a hundred thousand  
 6 dollars worth of expenses from operating  
 7 into -- from capital into operating.  
 8 Was this all reflected during  
 9 the summer budget meetings or is this  
 10 something that happened between July and  
 11 January?  
 12 A. This was all -- the budget  
 13 meetings went through July and August.  
 14 Q. Okay. My question is after the  
 15 budget meetings over the summer --  
 16 A. Yes.  
 17 Q. What did you observe with  
 18 respect to Ms. Browne-Sanders' inability  
 19 to budget and/or brand from those budget  
 20 meetings until January of '06?  
 21 A. Nothing other than that -- that  
 22 I did not receive a report that she had  
 23 gotten any better, and there was no reason  
 24 to think that she went through the -- the

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1 DOLAN

2 training, but I did not get a positive

3 report. I didn't get any report

4 essentially on it.

5 Q. Did you ask for a report at any

6 time between the summer budget meetings

7 and the day you decided to fire her?

8 A. I don't recall. I don't -- I

9 don't recall if I did or if I didn't.

10 Q. Now, you said that you also

11 relied on the opinion of Mr. Ratner that

12 she should be terminated.

13 When did Mr. Ratner express his

14 opinion that she should be terminated?

15 A. Consistently from July through

16 her termination date.

17 Q. And you rejected his opinion

18 from July, August, September, October,

19 November and December; is that correct?

20 MR. GREEN: Objection to form.

21 Missstates prior testimony.

22 Q. Is that correct?

23 MR. GREEN: You may answer.

24 A. I think it -- rejected would be

25 strong, but essentially we didn't act upon

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1 what his -- what his opinion -- we tried  
 2 to give Anucha a chance, but you have to  
 3 remember that the -- you are asking me  
 4 about the day she was fired. The -- we  
 5 went through this whole process with her.  
 6 Then she comes back to us, and she tells  
 7 us that she is not going to work here any  
 8 more. The -- that the -- it is unclear  
 9 what the reason is why she doesn't -- why  
 10 she can't work here any more, but I assume  
 11 that the -- that it had something to do  
 12 with her experience over the last six  
 13 months. The -- so now we are already  
 14 looking for -- we already have to retrigger  
 15 the -- the department, et cetera, but she  
 16 is -- she is going to stay as long as we  
 17 help her find another position, but she is  
 18 essentially out. She has no future at the  
 19 company by her own hand, and then  
 20 the -- comes in the report that she wants  
 21 \$600,000 worth -- excuse me -- 6 million  
 22 dollars worth of severance that the -- and  
 23 that -- that the -- she's been tampering  
 24 with an investigation into a complaint

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1 that she's made, and the last part is  
 2 the -- is the part that is most difficult  
 3 to deal with because as ridiculous as the  
 4 6 million dollar request was that  
 5 the -- she could have continued on doing  
 6 her job if she had not tampered  
 7 with -- with those people, the -- but the  
 8 combination of all of those things  
 9 together -- and finally the tampering as  
 10 being the last straw in that really led us  
 11 to -- led me to the conclusion that her  
 12 employment at the company was over with.  
 13 Q. Now, you started by saying that  
 14 you believed she started this whole  
 15 process. What whole process are you  
 16 referring to?  
 17 A. I'm not sure --  
 18 MS. VLADICK: Could you read it  
 19 back.  
 20 (Record read.)  
 21 Q. What did you mean by the whole  
 22 process?  
 23 A. What I meant by the whole  
 24 process is -- we went through the whole  
 25

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1 budgeting process with her. We discovered  
 2 these deficiencies that the -- that -- you  
 3 know, that -- in her skill set. We went  
 4 through and paid for the -- and offered  
 5 her training the -- and paid for her  
 6 training to up those skills. I mean that  
 7 was at our expense that the -- and, you  
 8 know, after we are done sending her  
 9 school, right -- that -- to get better at  
 10 this, right, the -- she walks into the  
 11 office and says essentially I'm quitting.  
 12 The -- I can't work here any more.  
 13 The -- the -- and you need to -- what  
 14 I -- what I need you to do is to keep me  
 15 on, and I'll do my job, which was fair,  
 16 and help me find another job. That  
 17 the -- you know, at that point, you know,  
 18 I have to tell you that as -- as the CEO  
 19 of the company having then, you know,  
 20 offered her the -- the ability, right, to  
 21 essentially come out of what was a pretty  
 22 bad review but which is what came up out  
 23 of in terms of how her performance was in  
 24 that budgetary process, offering her the

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1 ability for help, training to get her  
 2 skill levels up, the company was going to  
 3 stick with her, that the -- the -- and she  
 4 took the training, and then she came back  
 5 and basically said I quit. The -- then  
 6 she asks for 6 million dollars, that  
 7 the -- and then we find out that  
 8 she -- that she is utilizing her position  
 9 that she is -- she is off through the  
 10 company attempting to garner support for a  
 11 complaint that the -- about sexual  
 12 harassment. The -- at what point  
 13 does -- does an employee become no longer  
 14 effective at a company as -- in her  
 15 position. She was no longer effective.  
 16 The -- the -- and the -- at that point,  
 17 you know, I decided that the company had  
 18 to -- had to just cut it off, and that was  
 19 when -- when she was fired.  
 20 Q. Now, you say that you heard from  
 21 Mr. Mills that Mrs. Annucha Browne-Sanders  
 22 just walked into the office and said I'm  
 23 quitting?

MR. GREEN: Objection.

DOLAN

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1 pretty specific to Frank, but there may  
 2 have been. I just don't know.  
 3 Q. Did -- and Ms. Browne-Sanders  
 4 did not come up at that meeting?  
 5 A. Correct.  
 6 Q. Was there any follow-up after  
 7 that meeting with Mr. Thomas and Mr.  
 8 Mills?  
 9 A. I had met -- well, I sent  
 10 the -- my synopsis, as I mentioned  
 11 earlier, to both. I had a meeting -- I  
 12 don't know -- I don't know that it was for  
 13 that purpose. I had a meeting with Steve  
 14 because probably we had a -- three or four  
 15 different things going on, but I asked him  
 16 about a follow up. He said he was  
 17 going -- I think he was going on vacation,  
 18 and he said why don't you send Isaiah an E  
 19 mail, and I'll -- I think he said he would  
 20 mention it to him, but I can't say for  
 21 sure if he said that, but I think he said  
 22 that and ask him if he wants to follow-up  
 23 on, you know, other organizational issues  
 24 and so forth.  
 25

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1 DOLAN

2 A. I --

3 MR. GREEN: Objection to form.

4 A. I don't know which date it was.

5 Q. Is there anything that would

6 refresh your recollection?

7 A. I don't know. I -- you know, I

8 mean -- other than hearing somebody else's

9 testimony, I guess, and that is not really

10 very helpful. I mean I --

11 Q. Now, are you -- are you aware

12 that Mr. McCormack believed that the

13 document that you have before you, Dolan

14 Exhibit 1, was prepared after you made the

15 decision to fire Ms. Browne-Sanders?

16 MR. GREEN: Objection to form.

17 If the witness knows what Mr. McCormack

18 knew or thought he knew.

19 A. I -- you know, I am unaware of

20 this document essentially until today. I

21 mean I am seeing it for the first time

22 today. I didn't know Mr. McCormack wrote

23 a document such as this.

24 Q. Well, he didn't write it. Mr.

25 Schoenfeld did, but -- did you tell Mr.

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McCormack the three reasons or the three  
factors for Ms. Browne-Sanders'  
termination that you just told us here  
today?  
MR. GREEN: I am going to  
object to your characterizing the factors  
as any specific number, but the witness  
may answer.  
A. I believe I did.  
Q. And did you tell Mr. Ratner?  
A. Yes.  
Q. And you told both of them that  
Ms. Browne-Sanders using her position to  
influence the investigation was a factor  
in the termination?  
A. Yes.  
Q. Is one factor more heavily  
weighted than any of the others?  
MR. GREEN: Objection to form.  
A. I -- you -- it -- I would have  
to say that that the July -- the July  
through -- this period here was  
significant. The -- however the -- using  
her position to influence employees in the

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1 investigation was particularly -- showed a  
 2 lack of -- of ability for us to trust her.  
 3 I don't think we could trust her after she  
 4 did that. The -- you know, the -- if she  
 5 couldn't let the company operate and  
 6 follow the rules of the company and she  
 7 was going to establish her own rules,  
 8 which is essentially what she did, that  
 9 the -- it -- I mean at that point the -- I  
 10 think she really made her -- her  
 11 employment untenable because you just had  
 12 no idea what she would do. The -- I mean  
 13 the -- she clearly didn't respect the  
 14 process and the lines of authority, so how  
 15 could she stay?  
 16 Q. You have characterized what she  
 17 did as violation of policy as being wrong,  
 18 as all sorts of things.  
 19 A. Yeah.  
 20 Q. What did she do that in your  
 21 view was so bad that it deserved immediate  
 22 termination?

MR. GREEN: Objection.

Misstates prior testimony. It has been

DOLAN

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1 that she actually did in order to  
 2 influence people or have them back her up?  
 3 A. She --  
 4 Q. What are -- what are the events  
 5 that you believe --  
 6 A. I believe she had discussions  
 7 that -- that she brought -- that -- that  
 8 she had people in her office. I mean it  
 9 was reported to me that she had been  
 10 tampering with the investigation that --  
 11 that form. I mean the -- the -- you know,  
 12 her responsibility at that point was to  
 13 leave the investigation up to the people  
 14 who she made the complaint to.  
 15 The -- actually I don't think she had made  
 16 the complaint at that point. That  
 17 the -- I am a little fuzzy on  
 18 whether -- whether it was right there  
 19 before or after, but she clearly knew she  
 20 was going to make a complaint that  
 21 the -- and then she brought people in who  
 22 reported to her. That the -- and  
 23 proceeded to discuss the merits of her  
 24 complaint. The -- and attempt to persuade

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1 the people underneath her that her  
 2 complaint had merit and that they -- and  
 3 attempt to get them to back her up on her  
 4 complaints. That the -- the -- now  
 5 even -- even if -- if those people had  
 6 heard anything, right, that would back her  
 7 up, at that point she rendered the company  
 8 useless in its ability to investigate  
 9 because at what point -- how do you know  
 10 when we are asking those people whether  
 11 they are responding to our specific  
 12 questions or whether they are responding  
 13 to the fact that their boss, right, told  
 14 them that they need to answer this way,  
 15 that they -- there was no -- she  
 16 essentially rendered the company incapable  
 17 of deciding the -- you know, deciding the  
 18 merits of those people's testimony.  
 19 The -- the -- I don't think that that is a  
 20 difficult concept to understand, that  
 21 the -- the -- you know, the -- you can't  
 22 be the victim, the judge, and the jury and  
 23 the prosecutor all at once. You're not  
 24 allowed to do that. And the -- and that

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1 is what she was attempting to do.  
 2 The -- she so wanted to -- apparently to  
 3 have this complaint be verified by the  
 4 people underneath her, that -- that  
 5 she -- you know, she violated the company  
 6 policy, and she rendered herself at that  
 7 point the -- the -- -- unemployable by the  
 8 company. The -- because the -- we had no  
 9 way of knowing whether she was going to  
 10 continue to do that or not continue to do  
 11 that, and so how could I then have her  
 12 continue to run that operation. We  
 13 couldn't. The -- that is why she was let  
 14 go.  
 15 Q. And everything you learned about  
 16 her attempt to influence the investigation  
 17 in your words you learned from Mr.  
 18 McCormack; is that correct?  
 19 A. From Mr. McCormack, that's  
 20 right.  
 21 Q. Was there any other source of  
 22 information for that belief?  
 23 A. Not for that decision, no.  
 24 Q. And did Mr. McCormack tell you

DOLAN